

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,
MARISSA BLAIR, APRIL MUÑIZ, MARCUS
MARTIN, NATALIE ROMERO, CHELSEA
ALVARADO, JOHN DOE, and THOMAS
BAKER,

Plaintiffs,

v.

JASON KESSLER, et al.,

Defendants.

Civil Action No. 3:17-cv-00072-NKM

JURY TRIAL DEMANDED

PLAINTIFFS' REVISED PROPOSED VERDICT FORM

FIRST CLAIM: 42 U.S.C. § 1985(3)

1. Did Plaintiffs prove by a preponderance of the evidence their claim that one or more Defendants engaged in a conspiracy to commit racially motivated violence in violation of 42 U.S.C. § 1985(3)?

_____ YES _____ NO

If you answered “NO,” to Question 1, please skip to Question 11. If you answered, “YES,” proceed to Questions 2-5.

2. If you answered “**YES**,” to Question 1, please indicate (by marking each appropriate line with a check mark), any and all Defendants against whom you find that Plaintiffs proved their 42 U.S.C. § 1985(3) claim:

_____ ALL DEFENDANTS (If you check here, proceed to Question 3)

If not all Defendants, specify which ones:

_____ Jason Kessler
_____ Richard Spencer
_____ Christopher Cantwell
_____ James Alex Fields, Jr.
_____ Robert “Azzmador” Ray
_____ Nathan Damigo
_____ Elliott Kline
_____ Matthew Heimbach
_____ Matthew Parrott
_____ Michael Hill
_____ Michael Tubbs
_____ Jeff Schoep
_____ League of the South
_____ Vanguard America
_____ Nationalist Socialist Movement
_____ Identity Evropa
_____ Traditionalist Worker Party

3. For each Plaintiff who you found for on Claim 1, please state the total compensatory damages that will fully and fairly compensate that Plaintiff for the injuries sustained as a result of the conspiracy. All Plaintiffs except Chelsea Alvarado have brought this claim against all Defendants. Plaintiff Alvarado has brought this same claim against all Defendants except James Alex Fields, Jr.; her damages should be assessed accordingly.

Natalie Romero: \$ _____
April Muñiz: \$ _____
Thomas Baker: \$ _____

Elizabeth Sines:	\$ _____
Marissa Blair:	\$ _____
Marcus Martin:	\$ _____
Chelsea Alvarado:	\$ _____
Seth Wispelwey:	\$ _____
Devin Willis:	\$ _____

4. If you found for Plaintiffs as to Claim 1, do you find that punitive damages should be awarded against at least one Defendant?

_____ YES _____ NO

5. If you answered “**YES**,” to Question 4, on the following lines, please state the total punitive damages, if any, you are assessing against any such Defendant:

Jason Kessler:	\$ _____
Richard Spencer:	\$ _____
Christopher Cantwell:	\$ _____
James Alex Fields, Jr.:	\$ _____
Robert “Azzmador” Ray:	\$ _____
Nathan Damigo:	\$ _____
Elliott Kline:	\$ _____
Matthew Heimbach:	\$ _____
Matthew Parrott:	\$ _____
Michael Hill:	\$ _____
Michael Tubbs:	\$ _____
Jeff Schoep:	\$ _____
Vanguard America:	\$ _____
League of the South:	\$ _____
Identity Evropa:	\$ _____
Traditionalist Worker Party:	\$ _____
Nationalist Socialist Movement:	\$ _____

Please proceed to Question 6 on the next page.

SECOND CLAIM: 42 U.S.C. § 1986

6. Did Plaintiffs prove by a preponderance of the evidence their claim that one or more Defendants had knowledge of the conspiracy found in Claim 1 and failed to prevent that conspiracy from taking place in violation of 42 U.S.C. § 1986?

_____ YES _____ NO

If you answered “NO,” to Question 6, please skip to Question 11. If you answered, “YES,” proceed to Questions 7-10.

7. If you answered “**YES**,” to Question 6, please indicate (by marking each appropriate line with a check mark), any and all Defendants against whom you find that Plaintiffs proved their 42 U.S.C. § 1986 claim:

_____ ALL DEFENDANTS (If you check here, proceed to Question 8)

If not all Defendants, specify which ones:

_____ Jason Kessler
_____ Richard Spencer
_____ Christopher Cantwell
_____ James Alex Fields, Jr.
_____ Robert “Azzmador” Ray
_____ Nathan Damigo
_____ Elliott Kline
_____ Matthew Heimbach
_____ Matthew Parrott
_____ Michael Hill
_____ Michael Tubbs
_____ Jeff Schoep
_____ League of the South
_____ Vanguard America
_____ Nationalist Socialist Movement
_____ Identity Evropa
_____ Traditionalist Worker Party

8. For each Plaintiff who you found for as to Claim 2, please state the total compensatory damages that will fully and fairly compensate that Plaintiff for the injuries sustained as a result of the Defendants’ failure to prevent the Section 1985(3) conspiracy. All Plaintiffs except Chelsea Alvarado have brought this claim against all Defendants. Plaintiff Alvarado has brought this same claim against all Defendants except James Alex Fields, Jr.; her damages should be assessed accordingly.

Natalie Romero: \$ _____
April Muñiz: \$ _____

Thomas Baker:	\$ _____
Elizabeth Sines:	\$ _____
Marissa Blair:	\$ _____
Marcus Martin:	\$ _____
Chelsea Alvarado:	\$ _____
Seth Wispelwey:	\$ _____
Devin Willis:	\$ _____

9. If you found for Plaintiffs on Claim 2, do you find that punitive damages should be awarded against at least one Defendant?

_____ YES _____ NO

10. If you answered “**YES**,” to Question 9, on the following lines, please state the total punitive damages, if any, you are assessing against any such Defendant:

Jason Kessler:	\$ _____
Richard Spencer:	\$ _____
Christopher Cantwell:	\$ _____
James Alex Fields, Jr.:	\$ _____
Robert “Azzmador” Ray:	\$ _____
Nathan Damigo:	\$ _____
Elliott Kline:	\$ _____
Matthew Heimbach:	\$ _____
Matthew Parrott:	\$ _____
Michael Hill:	\$ _____
Michael Tubbs:	\$ _____
Jeff Schoep:	\$ _____
Vanguard America:	\$ _____
League of the South:	\$ _____
Identity Evropa:	\$ _____
Traditionalist Worker Party:	\$ _____
Nationalist Socialist Movement:	\$ _____

Please proceed to Question 11 on the next page.

THIRD CLAIM: CIVIL CONSPIRACY

11. Did Plaintiffs prove by a preponderance of the evidence each element of their Virginia state law civil conspiracy claim?

_____ YES _____ NO

If you answered “NO,” to Question 11, please skip to Question 16. If you answered, “YES,” proceed to Questions 12-15.

12. If you answered “**YES**,” to Question 11, please indicate (by marking each appropriate line with a check mark) which of the following Defendants you find, by a preponderance of the evidence, were members of that conspiracy.

_____ ALL DEFENDANTS (If you check here, proceed to Question 13.)

If not all Defendants, specify which ones:

_____ Jason Kessler
_____ Richard Spencer
_____ Christopher Cantwell
_____ James Alex Fields, Jr.
_____ Robert “Azzmador” Ray
_____ Nathan Damigo
_____ Elliott Kline
_____ Matthew Heimbach
_____ Matthew Parrott
_____ Michael Hill
_____ Michael Tubbs
_____ Jeff Schoep
_____ League of the South
_____ Vanguard America
_____ Nationalist Socialist Movement
_____ Identity Evropa
_____ Traditionalist Worker Party

13. For each Plaintiff who you found for as to Claim 3, please state the total compensatory damages that will fully and fairly compensate that Plaintiff for the injuries sustained as a result of the civil conspiracy. All Plaintiffs except Chelsea Alvarado have brought this claim against all Defendants. Plaintiff Alvarado has brought this same claim against all Defendants except James Alex Fields, Jr.; her damages should be assessed accordingly.

Natalie Romero:	\$ _____
April Muñiz:	\$ _____
Thomas Baker:	\$ _____
Elizabeth Sines:	\$ _____
Marissa Blair:	\$ _____

Marcus Martin:	\$ _____
Chelsea Alvarado:	\$ _____
Seth Wispelwey:	\$ _____
Devin Willis:	\$ _____

14. If you found for at least one Plaintiff as to Claim 3, do you find that punitive damages should be awarded against at least one Defendant?

_____ YES _____ NO

15. If you answered “**YES**,” to Question 14, on the following lines, please state the total punitive damages you are assessing against any such Defendant:

Jason Kessler:	\$ _____
Richard Spencer:	\$ _____
Christopher Cantwell:	\$ _____
James Alex Fields, Jr:	\$ _____
Robert “Azzmador” Ray:	\$ _____
Nathan Damigo:	\$ _____
Elliott Kline:	\$ _____
Matthew Heimbach:	\$ _____
Matthew Parrott:	\$ _____
Michael Hill:	\$ _____
Michael Tubbs:	\$ _____
Jeff Schoep:	\$ _____
Vanguard America:	\$ _____
League of the South:	\$ _____
Identity Evropa:	\$ _____
Traditionalist Worker Party:	\$ _____
Nationalist Socialist Movement:	\$ _____

Please proceed to Question 16 on the next page.

FOURTH CLAIM: VIRGINIA CODE § 8.01-42.1

16. Plaintiffs Natalie Romero, April Muñiz, Seth Wispelwey, Elizabeth Sines, Marissa Blair, Marcus Martin, and Devin Willis bring a claim under Virginia Code § 8.01-42.1, against Defendants Jason Kessler, Richard Spencer, Elliot Kline, James Alex Fields, Jr., Robert “Azzmador” Ray, and Christopher Cantwell. Chelsea Alvarado brings the same claim against Defendants Jason Kessler, Richard Spencer, Elliott Kline, Robert “Azzmador” Ray, and Christopher Cantwell.

Did those Plaintiffs prove by a preponderance of the evidence each element of their claim that one or more of those Defendants subjected them to racial, religious or ethnic harassment, violence or vandalism in violation of Virginia Code § 8.01-42.1?

_____ YES _____ NO

If you answered “NO,” to Question 16, please skip to Question 21. If you answered, “YES,” proceed to Questions 17-20.

17. If you answered “**YES**,” to Question 16, please indicate (by marking each appropriate line with a check mark) any and all Defendants against whom you find that Plaintiffs proved their Virginia Code § 8.01-42.1 claim.

_____ Jason Kessler
_____ Richard Spencer
_____ Elliott Kline
_____ James Alex Fields, Jr.
_____ Robert “Azzmador” Ray
_____ Christopher Cantwell

18. For each Plaintiff who you found for as to Claim 4, please state the total compensatory damages that will fully and fairly compensate that Plaintiff for the resulting injuries. Plaintiff Alvarado did not bring this same claim against Defendant James Alex Fields, Jr.; her damages should be assessed accordingly.

Natalie Romero:	\$ _____
April Muñiz:	\$ _____
Seth Wispelwey:	\$ _____
Elizabeth Sines:	\$ _____
Marissa Blair:	\$ _____
Marcus Martin:	\$ _____
Devin Willis:	\$ _____
Chelsea Alvarado:	\$ _____

19. If you found for at least one Plaintiff as to Claim 4, do you find that punitive damages should be awarded against at least one Defendant?

_____ YES _____ NO

20. If you answered “**YES**,” to Question 19, on the following lines, please state the total punitive damages you are assessing against any such Defendant:

Jason Kessler:	\$ _____
Richard Spencer:	\$ _____
Elliott Kline:	\$ _____
James Alex Fields, Jr:	\$ _____
Robert “Azzmador” Ray:	\$ _____
Christopher Cantwell:	\$ _____

Please proceed to Question 21 on the next page.

FIFTH CLAIM: ASSAULT OR BATTERY

21. Plaintiffs Natalie Romero, April Muñiz, Thomas Baker, Elizabeth Sines, Marissa Blair, and Marcus Martin bring a claim for assault or battery against Defendant James Alex Fields, Jr. Did those Plaintiffs prove by a preponderance of the evidence each element of their claim for assault or battery?

_____ YES _____ NO

If you answered “NO,” to Question 21, please skip to Question 25. If you answered, “YES,” proceed to Questions 22-24.

22. For any Plaintiff who you found for as to Claim 5, please state the total compensatory damages that will fully and fairly compensate that Plaintiff for the resulting injuries.

Natalie Romero:	\$ _____
April Muñiz:	\$ _____
Thomas Baker:	\$ _____
Elizabeth Sines:	\$ _____
Marissa Blair:	\$ _____
Marcus Martin:	\$ _____

23. If you found for at least one Plaintiff as to Claim 5, do you find that punitive damages should be awarded?

_____ YES _____ NO

24. If you answered “**YES**,” to Question 23, on the following lines, please state the total punitive damages you are assessing against Defendant James Alex Fields Jr. for these claims:

\$ _____

Please proceed to Question 25 on the next page.

SIXTH CLAIM: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

25. Plaintiffs Natalie Romero, April Muñiz, Thomas Baker, Elizabeth Sines, Marissa Blair, and Marcus Martin bring a claim for intentional infliction of emotional distress against Defendant James Alex Fields, Jr. Did Plaintiffs prove by clear and convincing evidence each element of their claim for intentional infliction of emotional distress?

_____ YES _____ NO

If you answered “NO,” to Question 25, please proceed to the END. If you answered “YES,” to Question 25, please proceed to Questions 26-28.

26. For each Plaintiff who you found for as to Claim 6, please state the total compensatory damages that will fully and fairly compensate that Plaintiff for the resulting injuries.

Natalie Romero:	\$ _____
April Muñiz:	\$ _____
Thomas Baker:	\$ _____
Elizabeth Sines:	\$ _____
Marissa Blair:	\$ _____
Marcus Martin:	\$ _____

27. If you found for at least one Plaintiff as to Claim 6, do you find that punitive damages should be awarded?

_____ YES _____ NO

28. If you answered “**YES**,” to Question 27, on the following lines, please state the total punitive damages you are assessing against Defendant James Alex Fields, Jr. for these claims:

\$ _____

END – STOP HERE

Date: November 17, 2021

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Bloch", written over a horizontal line.

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Michael L. Bloch (*pro hac vice*)
Raymond P. Tolentino (*pro hac vice*)
Yotam Barkai (*pro hac vice*)
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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2021, I served the following via electronic mail:

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*Counsel for Defendants Jeff Schoep,
National Socialist Movement, Nationalist
Front, Matthew Parrott, Traditionalist
Worker Party and Matthew Heimbach*

I hereby certify that on November 17, 2021, I also served the following by electronic mail:

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richardbspencer@gmail.com

Robert "Azzmador" Ray
azzmador@gmail.com

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dillon_hopper@protonmail.com

Elliott Kline a/k/a Eli Mosley
eli.f.mosley@gmail.com
deplorabletruth@gmail.com
eli.r.kline@gmail.com

I hereby certify that on November 17, 2021, I will serve the following by hand:

Christopher Cantwell
Christopher Cantwell 00991-509
Central Virginia Regional Jail
13021 James Madison Hwy
Orange, VA 22960



Michael L. Bloch(*pro hac vice*)
KAPLAN HECKER & FINK LLP

Counsel for Plaintiffs